UNITED
NATIONS

CEDAW

Convention on the Elimination of All Forms of Discrimination against Women

Distr.
LIMITED

CEDAW/C/1997/II/L.1/Add.6
17 July 1997

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF
DISCRIMINATION AGAINST WOMEN
Seventeenth session
7-25 July 1997

ADOPTION OF THE REPORT OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN ON ITS SEVENTEENTH SESSION

Draft report

Rapporteur: Ms. Aurora JAVATE DE DIOS

Addendum

IV. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

B. Consideration of reports

5. Second and third reports of States parties

Italy

1. The Committee considered the second and third periodic reports of Italy (see CEDAW/C/ITA/2) at its 346th and 347th meetings, on 15 July 1997.

2. In introducing the reports, the representative of Italy informed the Committee that Italy's basic strategies with respect to the advancement of women were mainstreaming and empowerment, with gender difference being perceived as a resource rather than a disadvantage. She noted that women in Italy were now seeking freedom, independence and personal development and were no longer willing to be constrained in stereotypical social and family roles.

3. The representative noted that Italian women had reached high levels in education and were increasingly part of the workforce. She indicated that, paradoxically, women's increased employment was manifested in the high unemployment rate among women, with women no longer content to revert to their traditional role as housewife.

4. The representative informed the Committee that regrettably men's culture and the basic structures of society had not changed at the same pace as women's and that men had sometimes actively opposed women's empowerment.

5. The representative pointed out that basic guidelines for government action for the advancement of women were outlined in the Prime Minister's Directive adopted on 7 March 1997. The Directive, which was aimed at all levels of public administration, both national and local, had been formulated after extensive consultation and parliamentary debate and mandates all cabinet members to implement the Beijing Platform for Action.

6. The representative informed the Committee that Italy was now going through a period of welfare reform, as well as convergence measures to join the European Monetary Union. She noted that those reforms had the capacity to affect women negatively and for that reason measures to mainstream a gender perspective into welfare reform were essential and were being undertaken in Italy.

7. The representative drew attention to the measures that had been introduced in Italy to reduce working hours and to create employment, including community-based strategies and the encouragement of entrepreneurship amongst women, such as the facilitation of soft loans.

8. The representative indicated that the burden of caring responsibilities in Italian society still fell mainly on women, although there was evidence that men were now taking on their responsibilities in that regard. She made clear that government policies and measures were being introduced to reinforce that change in perspective, including the creation of opportunities for childcare, facilitated by tax credits and incentives for non-profit organizations. In addition, draft legislation on parental leave, as well as measures to provide for flexible work patterns, were being introduced. The representative also noted the innovation of time banks, mostly managed by women, which allowed for the exchange of skills and services in communities.

9. The representative informed the Committee that draft legislation to address violence against women in the home had now been prepared and that a Commission had been established to investigate allegations of torture, including rape, perpetrated by Italian soldiers during the 1993 peace mission to Somalia. She noted that Italian women had actively participated in peace missions in the Middle East, the former Yugoslavia and Albania and the entry of women into the Italian armed forces had been an opportunity to redefine the role of the armed forces in the country.

10. The representative indicated that women remained underrepresented in decision-making positions and that steps were being introduced to address that issue via approaches aimed at empowering women generally. She noted that women were now well represented in decision-making at the local and municipal levels. In particular, she informed the Committee that women were particularly well represented in municipalities in the south, including Sicily.

11. The representative informed the Committee that educational campaigns to address racism and xenophobia had been introduced in Italy and were based on the model of a multicultural society. She noted that it was not enough to educate

the next generation, but that efforts must be made to enable people to learn from each other.

12. The representative concluded that although much remained to be done to implement the Convention in Italy, formal equality had been achieved. Efforts were still required to achieve substantive equality, but she was confident that the combination of the mainstreaming and empowerment strategies would reach that goal. In that regard she stressed that feminism and the women's movement had already transformed Italian society and women's empowerment would lead to further positive change.

Concluding comments of the Committee

13. The Committee noted with satisfaction the second and third reports of Italy, which were frank, extensive and detailed. Both reports, and particularly the third, exhibited an imaginative and forward-looking policy approach, and together with the oral presentation, explained the logic behind government policies and priorities. Nonetheless, the Committee expressed disappointment that the third report had not been submitted until a late stage thereby precluding its close examination by all members in advance.

14. The Committee expressed its appreciation to the Government of Italy for its high-level delegation headed by the Minister of Equal Opportunities, which it considered an indication of the State party's commitment to the Convention and its appreciation of the work of the Committee.

15. The Committee was gratified by the excellent oral presentation and the answers to its questions, which were thought-provoking and responded very sensitively to the details and nuances of those questions. The oral presentation, also, allowed for reflection on the notion of gender equality as well as presenting the full statistical picture regarding women's position in Italian society.

Positive aspects

16. The Committee welcomed the establishment by the present Government of the Ministry of Equal Opportunities as a coordinating ministry and appreciated the escalated efforts of that office for gender mainstreaming in the legal, institutional and social aspects of life in Italy. In that respect it especially commended the 7 March Directive of the Prime Minister to focus on gender issues across a wide spectrum of activities.

17. The Committee noted with appreciation the consistent efforts of the Government of Italy to enact legislation against discrimination. It welcomed in particular the passage of the Violence Act of 1996 and the recent presentation of the Domestic Violence Act to the Parliament as a draft law. It welcomed those initiatives as demonstrations of the Government's will to ensure the protection of the human rights of women and combat all kinds of violence directed against them.

18. The Committee welcomed the attitude sensitization and awareness-raising efforts of the Government, aimed at the elimination of xenophobia and racism in

Italian society and the promotion of the role of women as peacekeepers in different parts of the world. In that regard the Committee noted with satisfaction the commitment made, and the steps taken, to confront acts of violence against women allegedly perpetrated by Italian soldiers during peacekeeping missions.

19. The Committee noted with satisfaction the intentions and efforts of the Ministry of Equal Opportunities to ensure gender mainstreaming in the upcoming welfare reform by moving the focus from the "male breadwinner regime" to overcome the injustice faced by women and to respond better to the needs of the elderly, particularly women.

20. The Committee welcomed the remarkable gains made by Italian women in education and occupational fields, which had significantly enhanced women's economic independence and de facto equality in the society.

21. The Committee welcomed the Government's efforts to promote entrepreneurship among women through provision of credit and via monitoring and coordination of the activities of different public and private agencies in that field.

22. The Committee acknowledged the progressive and humane provisions of Italy's immigration law, and particularly appreciated those provisions of immigration legislation that were protective of the human rights of immigrant women.

Factors and difficulties affecting the implementation of the Convention

23. The Committee noted the persistence of significant cultural, social and economic differences and inequalities that existed between the north and south as major impediments to the full implementation of the Convention to achieve de facto equality in Italian society.

24. The Committee considered evidence of feminization of poverty exhibited by the fact that over 60 per cent of families headed by women were under the poverty line constituted a serious obstacle to the full implementation of the Convention in Italy.

Principal subjects of concern

25. The Committee expressed concern with regard to the inadequacy of efforts to combat stereotypes through education and other public means. In that regard it was deeply concerned that no substantial initiative had been taken in Italy to rid textbooks and teaching materials of stereotypes and/or towards making women and their contributions to history and society more visible and apparent.

26. The Committee expressed its concern with respect to the persistence of patriarchal norms and stereotypes in Italian society and noted with particular concern the relative lack of attention to that matter in governmental policies and by governmental actors. In that context, the State party's attitudes and actions aimed at "utilizing women's own resources" were viewed by the Committee as potentially reinforcing and glorifying stereotypical roles of women, and thereby impeding the realization of de facto equality.

27. The Committee noted with deep concern that the presence of women in politics and decision-making positions remained very limited and that political participation had fallen in recent years. Emphasizing the importance of the presence of women in such positions, the Committee was concerned that the Government's failure to adopt numerical goals and quotas, alongside other mainstreaming and empowerment policies, had contributed to that situation.

28. The Committee was also concerned with the lack of programme to sensitize the public and particularly the police, the judiciary and the health professionals, to the conditions and needs of victims of domestic violence. The Committee had expressed serious concern that in the absence of such measures the anti-discrimination laws, as well as laws on violence against women, would not be able to combat effectively indirect discrimination or ensure accurate reporting and rigorous prosecution of all forms of violence against women.

29. The Committee was concerned about the lack of sex-disaggregated data relating to part-time work. The Committee underlined the importance of close monitoring of that subject by, inter alia, keeping up to date sex-disaggregated statistics so as to determine the number of women occupied in part-time employment, which, when their number was disproportionate, was a factor that contributed to indirect discrimination.

30. The Committee was concerned about the inequality in the sharing of "caring responsibilities" and that such responsibilities fell predominantly upon women in Italy, a factor that was particularly acute in southern Italy. It noted with concern the absence of efforts or programmes to encourage Italian men to undertake their fair share of domestic responsibilities, and to care for the children and the elderly.

31. The Committee expressed concern with respect to the lack of statistics and/or studies into the causes of a number of health related issues concerning women. It noted with serious concern that studies suggested an increase in incidence of lung cancer among women. It also noted the very high incidence of caesarian section deliveries and the failure of women to take advantage of early detection technologies, including mammography and pap smears, and the failure to explain that phenomenon. In addition, the Committee was concerned with the lack of data on occupational health and disease.

32. The Committee expressed particular concern with regard to the limited availability of abortion services for women in southern Italy, as a result of the high incidence of conscientious objection among doctors and hospital personnel.

33. The Committee noted that while the shift in emphasis from the concept man as breadwinner that underpinned current welfare reforms was intended to give women autonomy and reduce humiliating financial dependence, it was concerned that those reforms posed real risks for women who had been homemakers, and not part of the paid workforce, or whose careers had been interrupted by childcare and other responsibilities and for older women who had little earning capacity.

Suggestions and recommendations

34. The Committee recommends that the Government of Italy continue to implement and strengthen the current measures it is taking to empower women and mainstream gender issues. It encourages specific affirmative actions targeted to numerical goals and quotas, in particular in those areas such as political and decision-making positions of public life, where women's de facto equality has not been improving at the desired pace.

35. The Committee urges the Government of Italy to take large-scale measures to combat the widespread acceptance of stereotypical roles of women and men, particularly in the south, by alerting the public to the importance of an equitable distribution between women and men of family roles and "caring responsibilities". In this respect the Committee deems it essential that text books and teaching material be reviewed and revised to reflect the non-stereotypical roles of men and women.

36. The Committee recommends that Italy expand its existing legislation and/or enact new legislation, where needed, in order to effectively deal with the phenomenon of indirect discrimination. To this end it emphasizes the importance of measures to sensitize judges, lawyers and other members of the law profession to indirect discrimination and to Italy's international obligations, and in particular those outlined in the Convention.

37. The Committee requests the Government to produce progress reports and/or balance sheets to detail the applications and results of legislation concerning equality for women and discrimination for Italy's next report to the Committee.

38. The Committee urges the Government of Italy to embark on public sensitization campaigns in relation to domestic violence in its various manifestations (sexual, physical, etc.) to ensure the protection of human rights of women and the girl child in the family. In particular, the Committee recommends that measures be introduced to encourage complaints and provide mechanisms for effective and timely response to such claims. In that regard it recommends that health professionals be trained in the care and management of domestic violence cases.

39. The Committee recommends that specific efforts be made to revise the implementation of the immigration laws so as to protect migrant women from trafficking.

40. The Committee strongly recommends that the Government take steps to secure the enjoyment of women, and in particular, southern Italian, of their reproductive rights by, inter alia, guaranteeing them access to abortion services in public hospitals.

41. The Committee recommends that the prerequisite of marriage for access to artificial reproductive technology in public hospitals be revised. It recommends that public debate on the issues raised by this technology be initiated.

42. The Committee urges the Government of Italy to take the necessary steps to incorporate participation of non-governmental organizations in the preparation of the country's next report to the Committee.

43. The Committee recommends that the Government of Italy, as a State member of the European Union, take concrete initiatives to encourage the acceptance by the European Union of the Convention as a fundamental bill of rights for women.

44. The Committee recommends that the State party should ensure that all women have an adequate income and that husbands and fathers are obliged to provide financial support. It recommended that the Government enforce the payment of alimony and financial support by deducting such payments from men's incomes, authorizing the sale of assets to ensure payment and setting aside trusts and other devices aimed at hiding assets and income, irrespective of whether these have been introduced to avoid such payments.

45. The Committee requests the Government of Italy to disseminate widely, throughout Italy, the present comments so that individuals are aware of the measures that have been taken to implement the Convention and the remaining steps that are required to achieve de facto equality for women.